IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 2?200Ardlicant: M.R. Bauer Art Unit: 3627 09/556,647 plication No.: Confirmation No: 7493 Examiner: Fischer, A.

04/24/2000 Filed: Title : Material Browser

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES NOTICE OF APPEAL & BRIEF SUBMITTAL

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RECEIVED. UEC 2 9 2003 GROUP 3600

Sir:

In accordance with 37 CFR 1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision of the examiner dated 10/22/2003, finally rejecting claims 15-18, 21, 22, and 31-39, and submits the attached Notice of Appeal, form PTO/SB/31.

In accordance with 37 CFR 1.192, Applicant herewith encloses an Appeal Brief, in triplicate.

Please charge the \$330.00 fee, under Section 1.17(b), for filing the Notice of Appeal; and the \$330.00 fee, under Section 1.17(c), for filing the Brief to Deposit Account No. 14-0225 of NCR Corporation in accordance with the attached Fee Transmittal.

Respectfully submitted,

Date: 19 Des

Francis L. Conte, Attorney Registration No. 29,630 Tel: 781-592-9077

6 Puritan Avenue

Swampscott, MA 01907 781-592-9077 Tel: Fax:

781-592-4618

Attachments:

Notice of Appeal, form PTO/SB/31 Fee Transmittal for FY 2004 Appeal Brief - in triplicate

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CONTE

(Name of person mailing paper) (Signature of person mailing paper)

the Paperwork Reduction Act of 1995, no persons are required to re

EE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

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U.S. Patent and Tr	ademark Office; U.S. DEPA	PTO/SB/17 (70-03) 17/31/2006. OMB 0650-0032 ARTMENT OF COMMERCE a valid OMB control number.	\$627
Co	omplete if Known		
Application Number	09/556,647		
Filing Date	04/24/2000	RECE	IVED
First Named Inventor	M.R. Bauer		
Examiner Name	Fischer, A.	DEC 2	9 2003
Art Unit	3627		
Attorney Docket No.	NCR-8778	GROU	P 360(

(17 000	Attentiey bocket No. 11011 0770		
METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)		
Check Credit card Money Other None	None 3. ADDITIONAL FEES		
Deposit Account:	Large Entity Small Entity		
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Account Number 14-0225	1051 130 2051 65 Surcharge - late filing fee or oath	e Falu	
Deposit NCD Corporation	1052 50 2052 25 Surcharge - late provisional filing fee or		
Account NCR Corporation	cover sheet		
The Director is authorized to: (check all that apply)	1053 130 1053 130 Non-English specification 1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination		
Charge fee(s) indicated below Credit any overpayments	1804 920* 1804 920* Requesting publication of SIR prior to		
Charge any additional fee(s) or any underpayment of fee(s)	Examiner action		
Charge fee(s) indicated below, except for the filing fee	1805 1,840* 1805 1,840* Requesting publication of SIR after		
to the above-identified deposit account.	Examiner action 1251 110 2251 55 Extension for reply within first month		
FEE CALCULATION	1252 420 2252 210 Extension for reply within second month		
1. BASIC FILING FEE	1253 950 2253 475 Extension for reply within third month		
Large Entity Small Entity Fee Fee Fee Fee Fee Description Fee Paid	1254 1,480 2254 740 Extension for reply within fourth month		
Code (\$) Code (\$)	1255 2,010 2255 1,005 Extension for reply within fifth month		
1001 770 2001 385 Utility filing fee		330	
1002 340 2002 170 Design filing fee	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	330	
1003 530 2003 265 Plant filing fee	1402 330 2402 165 Filing a brief in support of an appeal 1403 290 2403 145 Request for oral hearing	000	
1004 770 2004 385 Reissue filing fee			
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SUBTOTAL (1) (\$) 0		$\neg \neg$	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453 1,330 2453 665 Petition to revive - unintentional 1501 1,330 2501 665 Utility issue fee (or reissue)		
Fee from Extra Claims below Fee Paid	· · · · · · · · · · · · · · · · · ·		
Total Claims -20** = X 18 = 0	1503 640 2503 320 Plant issue fee		
Independent	1460 130 1460 130 Petitions to the Commissioner		
Multiple Dependent	1807 50 1807 50 Processing fee under 37 CFR 1.17(q)		
Large Entity Small Entity	1806 180 1806 180 Submission of Information Disclosure Stmt		
Fee Fee Fee Fee <u>Fee Description</u> Code (\$) Code (\$)	8021 40 8021 40 Recording each patent assignment per		
1202 18 2202 9 Claims in excess of 20	property (times number of properties)		
1201 86 2201 43 Independent claims in excess of 3	1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a))		
1203 290 2203 145 Multiple dependent claim, if not paid	1 ' ' '		
1204 86 2204 43 ** Reissue independent claims	examined (37 CFR 1.129(b))		
over original patent	1801 770 2801 385 Request for Continued Examination (RCE)		
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802 900 1802 900 Request for expedited examination of a design application		
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SUBTOTAL (2) (\$) 0 **or number previously paid, if greater; For Reissues, see above	*Deduced by Deale Filler For Deld	60	
para, in greater, i or inclosures, see above		.55	

SUBMITTED BY (Complete (if applicable)) Registration No. Name (Print/Type) Francis L Conte Telephone 29630 781-592-9077 (Attorney/Agent) Signature 2003 Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.